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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,319	04/09/2001	Robert Houben	41696/DBP/L379	8790
23363	7590	01/12/2006	EXAMINER	
CHRISTIE, PARKER & HALE, LLP			NGUYEN BA, PAUL H	
PO BOX 7068			ART UNIT	
PASADENA, CA 91109-7068			PAPER NUMBER	

2176

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/832,319		HOUBEN ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Paul Nguyen-Ba		2176	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,7-9,12-14,18,19,24-26,29-31,35-38,41-43,46-49 and 52-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,7-9,12-14,18,19,24-26,29-31,35-38,41-43,46-49 and 52-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/20/2005 has been entered.

2. Claims 1-4, 7-9, 12-14, 18, 19, 24-26, 29-31, 35-38, 41-43, 46-49, and 52-55 are currently pending. Claims 1, 7, 18, 24, 35, and 41 are independent claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2176

4. Claims 1-4, 7-9, 13, 18, 19, 24-26, 31, 35-38, 41-43, 46, 48, and 52-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et al. ("Cascio"), U.S. Patent Application Publication No. 2002/0091818, in view of Meltzer et al. ("Meltzer"), U.S. Patent Application Publication No. 2002/0165872.

**Regarding independent claim 1, Cascio teaches:**

*A computer-implemented method for processing an incoming document*  
(see Abstract), *comprising:*

*providing, under control of the computer, at least one personality document, the personality document defining a plurality of business operations* (see Fig. 3 – item 320; see also [0023], [0025], [0052] → defines data extraction (processing) rules, *compare with* "personality document") *and a behavior document associated with each business operation, each document defining a plurality of actions for conducting the associated business operation* (see Fig. 3 – item 350; see also [0023], [0025], [0052] → compares the defined rules in the rules base to the incoming data to see if a match is detected and extracts (i.e. actions) the data according to defined rules (i.e. operations), *compare with* "behavior document");

*accepting... the incoming document* (see [0025] and [0047] → extracts data from a legacy data stream (i.e. P2P, Web page documents data, etc.));

*... ;*

*reading, under the control of the computer, the personality document and testing the (...) incoming document based on the personality document for recognizing the incoming document* (see Fig. 3 – items 340, 350; see also [0025] and [0052] → *compare with* matching rule);

*selecting a behavior document based on the recognized incoming document* ([0026] and [0052] → associates the rule components (i.e. "behavior documents") to a particular template);

*routing...incoming document to the selected behavior document* (see Fig. 3 and [0052] → moves a packet of data from source (i.e. incoming document) to destination (i.e. behavior document)); and

*under control of the computer, applying the plurality of actions defined in the selected behavior document to the incoming document and conducting the business operation associated with the selected behavior document* (see [0025], [0026]).

Art Unit: 2176

Cascio, suggests a hierarchical representation of the document (see [0068] and [0070]), but does not explicitly teach:

*generating...a tree based representation of the incoming document.*

However, Meltzer teaches:

*generating...a tree based representation of the incoming document*  
(see [0096] → tree builder takes a stream of XML events and generates a tree representation of the underlying document).

Since Cascio and Meltzer are both from the same field of endeavor, the motivational purpose of enhanced support of queries around a document, reordering of nodes, creation of new documents, and supporting a data structure in memory from which the same event stream can be generated multiple times as disclosed by Meltzer would have been recognized in the pertinent art of Cascio. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Cascio with the teachings of Meltzer to include generating a tree based representation of the incoming document.

**Regarding claims 2, 13, 19, 30, 36, 46, Cascio teaches:**

extracting complex data components from structured data such as XML documents (see [0020], [0047], [0077] → *personality, behavior, serving, incoming, working documents*).

Art Unit: 2176

**Regarding claims 3, 4, 8, 9, 25, 26, 37, 38, 42, and 43, Cascio teaches:**

translating the incoming document to a working document and translating the working document to an outgoing document and transmitting the outgoing document via a communication network (see [0040]-[0046]).

**With respect to independent claims 7, 24, and 41, please refer to the rationale** relied upon to reject substantially similar subject matter in independent claims 1, 18, and 35 as discussed above.

Furthermore, Cascio teaches:

*selecting a translation document based on the recognized incoming document; translating the incoming document into a working document having a standard document format based on the selected translation document (see [0077] → i.e. transforming document; see also [0023], [0025], [0052]).*

**Regarding claims 14, 31, and 48, Cascio teaches:**

extracting complex data components from structured data such as XML documents (see [0020], [0047], [0077] → personality, behavior, serving, *incoming, working* documents); and *the selected translation document is a XSLT document* (see [0077]; see also [0023], [0025], [0052]).

**Independent claims 18 and 35** incorporate substantially similar subject matter as independent claim 1, and are rejected along the same rationale.

**Claims 52-55** incorporate substantially similar subject matter as independent claim 1, and are rejected along the same rationale.

5. Claims 12, 29, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et al. ("Cascio"), in view of Meltzer et al. ("Meltzer"), U.S. Patent Application Publication No. 2002/0165872 U.S. Patent Application Publication No. 2002/0091818, in further view of Walsh et al. ("Walsh"), U.S. Patent No. 6,810,429.

**Regarding claims 12, 29, 46**, Cascio does not explicitly teach:

*actions further include invoking a document parser.*

However, Walsh teaches:

*actions further include invoking a document parser (an enterprise integration system coupled to a number of legacy data sources wherein the documents are parsed (see col. 14 lines 22-26) for the purpose of processing XML documents according to the rules).*

Since Cascio and Walsh are both from the same field of endeavor, the purposes disclosed by Walsh would have been recognized in the pertinent art of Cascio. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Cascio with the teachings of Walsh to include actions further include invoking a document parser for the purpose of processing XML documents according to the rules.

Art Unit: 2176

6. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et al. ("Cascio"), U.S. Patent Application Publication No. 2002/0091818, in view of Meltzer et al. ("Meltzer"), U.S. Patent Application Publication No. 2002/0165872, in further view of Chau et al. ("Chau"), U.S. Patent Application Publication No. 2003/0014397.

**Regarding claim 49**, Cascio does not explicitly teach:

the method wherein the personality document includes an XML path invoked for testing the tree-based representation of the incoming document.

However, Chau teaches:

the method wherein the personality document includes an XML path invoked for testing the tree-based representation of the incoming document (see paras [0039], [0042], [0078] → a method for enabling an XML collection from existing tables of legacy business data utilizing the Xpath standard of the XML language).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Cascio with the teachings of Chau to include an XML path invoked for testing the tree-based representation of the incoming document for the motivational purpose of addressing parts of an XML document and navigating through the hierarchical structure of an XML document.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims filed on 10/20/2005 have been considered but are moot in view of the new ground(s) of rejection.



Art Unit: 2176


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB  
1/7/06

  
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